

Court of Appeals, State of Michigan

ORDER

People of MI v Amir Aziz Shahideh

Docket No. 267961

LC No. 2005-203450-FC

Deborah A. Servitto
Presiding Judge

Kathleen Jansen

Bill Schuette
Judges

On the Court's own motion, the Criminal Defense Attorneys of Michigan, the Prosecuting Attorneys Association of Michigan and any other interested persons are invited and encouraged to file briefs amicus curiae in this appeal within 28 days of the Clerk's certification of this order. Briefs shall conform to MCR 7.212(B) and (H)(2), and should be limited to the following issues.

- (1) Whether MCL 768.20a governs a request by an incarcerated defendant for an independent psychiatric evaluation to determine whether an insanity defense may be available where no notice of intention to assert an insanity defense has been filed; and
- (2) If the statute governs, whether the subsections of MCL 768.20a are to be construed seriatim, such that an independent psychiatric evaluation may not be requested under subsection (3) without first complying with subsections (1) and (2); and
- (3) If the statute does not apply, whether defendant's constitutional rights were violated by the trial court's decision to deny access to defendant for an independent psychiatric evaluation while he was in jail.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JUN 21 2007

Date

Sandra Schultz Mengel
Chief Clerk